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5 UNITED STATES DISTRICT COURT

6 EASTERN DISTRICT OF WASHINGTON

7 TIMOTHY COX,

No. 1:15-cv-03099-MKD

8 Plaintiff,

ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND

9 vs.

10 CAROLYN W. COLVIN,

ECF No. 26

11 Acting Commissioner of Social Security,

12 Defendant.

13 The Court has considered the parties' stipulated motion for remand. The  
14 parties have consented to proceed before a magistrate judge. ECF No. 6.

15 IT IS ORDERED that the motion, **ECF No. 26**, is **GRANTED**. The  
16 Commissioner's decision is reversed and remanded for further administrative  
17 proceedings, in accordance with sentence four of 42 U.S.C. § 405(g).

18 Upon remand, an Administrative Law Judge shall offer plaintiff an  
19 opportunity for a de novo hearing and a new decision with respect to Plaintiff's  
20 applications for disability insurance benefits and supplemental security income

1 payments under Titles II and XVI of the Social Security Act. On remand, the ALJ  
2 should solicit testimony from Plaintiff concerning the entire period at issue  
3 (including concerning Plaintiff's Title XVI claim), allow Plaintiff an opportunity to  
4 update the record, and should reconsider the sequential evaluation process.

5 This Court reverses the Commissioner's decision pursuant to sentence four  
6 of 42 U.S.C. § 405(g) with a remand of the case to the Commissioner for further  
7 proceedings.

8 Upon proper application, Plaintiff shall be eligible for attorneys' fees under  
9 the Equal Access to Justice Act, 24 U.S.C. § 2412 et seq.

10 The District Court Executive is directed to enter judgment for Plaintiff, file  
11 this Order, provide copies of this Order to the parties, and **CLOSE** the file.

12 **DATED** June 20, 2016.

13 *s/Mary K. Dimke*  
14 MARY K. DIMKE  
15 UNITED STATES MAGISTRATE JUDGE  
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